

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
JOSE DEL-ORDEN, *on behalf of himself and all* :
others similarly situated, :

Plaintiff, :

16-CV-2319 (JPO)

-v- :

ORDER

OUTBACK STEAKHOUSE OF FLORIDA, LLC, :
Defendant. :
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J. PAUL OETKEN, District Judge:

This action was filed on March 29, 2016. (Dkt. No. 1.) In his complaint, Plaintiff asserts claims under the Americans with Disabilities Act of 1990 (“ADA”).

By stipulation of the parties, Defendant was to answer or otherwise respond to the complaint on or before June 30, 2016. (Dkt. No. 7.) No appearance has been entered on Defendant’s behalf, however, and no response to the complaint has been filed in the allotted time. Plaintiff has not moved for a default judgment.

Plaintiff is directed to notify the Court whether he intends to move for default judgment, or if he has received any communication from Defendant or its counsel regarding their response to the complaint. If Plaintiff fails by August 8, 2016, to either (1) file a letter concerning the status of the case, or (2) move for default judgment against Defendant, the action may be dismissed for failure to prosecute.

Plaintiff is directed to serve a copy of this order on Defendant.

SO ORDERED.

Dated: July 18, 2016
New York, New York



J. PAUL OETKEN
United States District Judge